



# Olympus Engineering

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October 12, 2006

Tom Atkinson  
State of Alaska  
Department of Natural Resources  
550 W. 7<sup>th</sup> Suite 705  
Anchorage, AK

Re: POA-2005-480-4, Wasilla Lake  
Evaluation of Mat-Su District ACMP Consistency Standards

Mr. Atkinson,

This letter is to serve as the evaluation you requested for the project referenced above, with regards to the Mat-Su District standards for the ACMP Consistency Review. Please include this evaluation as an addendum to the Statewide Standard Evaluation.

This letter will focus particularly on the ACMP Mat-Su District Standards, as outlined in the Downloadable documents for the Matanuska-Susitna Borough Coastal District Enforceable Policies, available from the ACMP Mat-Su District Web Page. The evaluation below will incorporate much of the text from the enforceable standards along with an evaluation below each standard. **Evaluation Responses will be in BOLD.**

## **Coastal Development Standard**

*(1) General policies for coastal development include:*

*In planning for and approving development in coastal area, the District shall give, in the following order, priority to:*

- (a) Water-dependent uses and activities in or adjacent to rivers, lakes, streams and uses and activities along its coastline;*
- (b) Water-related uses and activities in or adjacent to rivers, lakes, streams and uses and activities along its coastline; and*
- (c) Uses and activities which are neither water-dependent nor water-related for which there is no feasible and prudent inland alternative to meet the public need for the use or activity.*

*(2) The placement of structures and the discharge of dredged or fill material into waters of the coastal management area must, at a minimum, comply with the standards contained in Parts*

320-330, Title 33, Code of Federal Regulations, Vol. 47, No. 141, July 22, 1982, specifically, the standards of Part 320.4, General Policies for Evaluating Permit Applications, will be utilized as applicable to the review of all development proposals.

- (3) Dredging and filling shall not be allowed in tide flats and wetlands, submerged lands and water bodies important for migration, spawning or rearing of anadromous or resident fish unless no feasible and prudent alternative exists. The Catalog of Waters Important for Spawning, Rearing and Migration of Anadromous Fishes, ADF&G will be used to identify and protect important anadromous waters in the District.
- (4) Development must be sensitive to the ecosystem in which it is located and incorporate mitigating measures into its design to minimize adverse impacts on that ecosystem.
- (5) Development shall be sited, designed, constructed and managed so as to preserve natural and cultural features in the District. Public access to natural and cultural features shall be preserved and maintained, and where appropriate, increased.
- (6) The type and concentration of development in an area shall be dictated by the physical limitations and opportunities of the area. Physical conditions such as soil characteristics, slopes, geological features, surface and sub-surface drainage, water tables, floodplains and shore forms shall be taken into consideration when planning development in an area.
- (7) The District recognizes existing areas of development and nonconforming uses within the coastal management boundary. Such recognition does not imply the allowance of similar uses and activities in the District in the future.

Industrial development includes the commercial production and sale of goods and services. Types of development include the commercial production and sale of goods and services. Types of development considered industrial includes, but are not limited to, forestry, mining, fishing, communications, wholesale trade, manufacturing, utilities and transportation.

Commercial development includes economic development activity, but at a reduced scale of development compared to industrial development. Types of development considered commercial include, but are not limited to, retail trade businesses, service stations and other private businesses which provide service and employment. Port development includes waterfront development activity. Types of development considered port development includes, at a minimum, a site on a waterway which provides harbor or dock facilities.

In addition to the above general policies for all coastal development, policies and enforceable rules for industrial, commercial and port development include:

- (1) Port, dock, commercial and industrial facilities shall be sited, designed, constructed and operated in a manner that minimizes excavation and disturbance to anadromous and resident fish and wildlife, and the alteration of the shoreline, tide flats and wetlands.
- (2) Industrial users of the shoreline shall minimize the negative aesthetic impact of their use and activities, shall enhance and maintain the positive visual aspects of their development and provide recreational opportunities for public viewing of such positive aspects whenever practical and safe. Aesthetic values include scenic corridors, area and vistas, open space, parks and recreation.
- (3) Design criteria and performance standards for industrial, commercial and port development shall be required in order to maintain a high aesthetic appeal and prevent unsightly

*incompatible development. (4) Preference will be given to industrial, commercial or port uses which promote physical and visual access to the shoreline, when such access does not cause interference with operation or hazards to life and property.*

*In addition to the above general policies for all coastal development, policies and enforceable rules for residential coastal development include:*

- (1) Recognizing that premature and scattered development needlessly degrades rivers, lakes and coastline open space, conflicts with other appropriate uses and causes extra public costs for public services, new development shall minimize its impact by consolidating development where possible.*
- (2) Community open space areas shall be identified and planned for.*
- (3) Subdivisions outside the road-served areas of the Borough, including subdivisions of State land into lots of less than 10.0 acres, shall be designed so as to maintain, to the greatest extent possible, fish and wildlife productivity and existing uses. In addition, the following shall be provided for all such subdivisions:*
  - a. Feasible Access. Feasible access includes legal access and physical access, such as airstrip, water, rail or roads. Such feasible access shall be provided to all subdivisions except that subdivisions of State land described above shall be exempted from the requirement of physical access to the extent not funded by the State when the commissioner of the Department of Natural Resources (DNR) finds, with respect to each subdivision, that the Borough has been given an opportunity either to construct access for State subdivisions, with expenses recouped from the proceeds of the State sale, or to acquire, market and develop the proposed subdivision and construct the access with proceeds from the sale. Construction of such access must begin within a reasonable period.*
  - b. Reasonable access to energy resources for individual heating purposes including but not limited to firewood. If firewood is the principle energy resource, consideration will be given to the sustained yield carrying capacity of the are for firewood production.*
  - c. Reasonable access to suitable supply of water for individual consumption purposes.*
  - d. Environmental suitability for sewage and garbage disposal.*
  - e. Reasonable use and access to public lands adjoining State land disposals.*

### **Evaluation**

**(1) This project is water related, and can be considered water dependant, although no directly water dependant. The dependency relates to the high value development that can only be attained by waterside development as well as the high demand for available space next to wildlife viewing areas. There are no other directly water dependant projects that the subject development will impede, therefore this standard is met.**

**(2) Any fill placed for this project will be several hundred feet from the waterline, and will not impede any of the above listed species or items which are not to be disturbed. The Army Corp of Engineers, Environmental Protection Agency, and US Department of Fish and Wildlife have also given their approval of the project as it is proposed.**

(3) The submitted mitigation plan outlines the measures taken to avoid and minimize impact on the area. The availability of public access will also be greatly improved with the development of this project. While public access will be improved, the proposed boardwalks and viewing decks will have measures to keep the public on the improvements, and out of the actual habitat so viewing can be maximized with minimal impacts to the environment and ecosystem.

(4) The commercial development standards of this project have been met as outlined above. Aesthetic Design standards will be very high in order to meet the high end commercial demand. Excavation and fill has been designed to have minimum impact on the environment. The shoreline had not been disturbed, and the public use of the shoreline will increase with minimized impact to the ecosystem due to this increased public use.

(5) This project is nor residential in nature, therefore additional Residential Standards to not apply.

G Consistent

G Inconsistent

G Not Applicable

### **Energy Facilities Standard**

*(1) Criteria identified in 6 A.A.C. 80.070 shall be used for siting and approving energy facilities in the District including:*

- (a) Site facilities so as to minimize adverse environmental and social effects while satisfying industrial requirements;*
- (b) Site facilities so as to be compatible with existing and subsequent adjacent uses and projected community needs;*
- (c) Consolidate facilities;*
- (d) Consider the concurrent use of facilities for public or economic reasons;*
- (e) Cooperate with landowners, developers and federal agencies in the development of facilities;*
- (f) Select sites with sufficient acreage to allow for reasonable expansion of facilities;*
- (g) Site facilities where existing infrastructure, including roads, docks and airstrips is capable of satisfying industrial requirements;*
- (h) Select harbors and shipping routes with least exposure to reefs, shoals, drift ice and other obstructions;*
- (i) Encourage the use of vessels traffic control and collision avoidance systems;*
- (j) Select sites where development will require minimal site clearing, dredging and construction in productive habitats;*
- (k) Site facilities so as to minimize the probability, along shipping routes, of spills or other forms of contamination which would affect fishing grounds, spawning grounds, and other biologically productive or vulnerable habitats, including marine mammal rookeries and hauling out grounds and waterfowl nesting areas;*
- (l) Site facilities so that design and construction of those facilities and support*

*infrastructures in coastal areas of Alaska will allow for the free passage and movement of fish and wildlife with due consideration for historic migratory patterns and so that areas of particular scenic, recreational, environmental or cultural value will be protected; (m) Site facilities in areas of least biological productivity, diversity and vulnerability*

*and where effluents and spills can be controlled or contained; (n) Site facilities where winds and air currents disperse airborne emissions which cannot be captured before escape into the atmosphere; (o) Select sites in areas which are designated for industrial purposes and where industrial traffic is minimized through population centers; and (p) Select sites where vessel movements will not result in overcrowded harbors or interfere with fishing operations and equipment.*

- (2) Energy facilities shall be sited, designed, developed and operated to minimize impacts on, and ensure continued use of, aquatic and terrestrial fish and wildlife habitats. Energy facilities shall be developed and operated in a manner that will ensure fish passage and minimize alteration of fish and wildlife habitat and in stream flows.*
- (3) Energy facility developers, shall provide to the District, in a timely manner, nonproprietary information, reports, transportation and logistics plans and summaries of studies in sufficient detail for its planning purposes.*

### **Evaluation**

- (1) This project is not an energy facility, the above standards are not applicable.**

**G Consistent**

**G Inconsistent**

**G Not Applicable**

### **Fish & Seafood Processing Standard**

- (1) The State standard (6 A.A.C. 80.090) is adopted as part of the Mat-Su MSBCMP.*

### **Evaluation**

- (1) Project is not in any way associated with Fish and Seafood Processing.**

**G Consistent**

**G Inconsistent**

**G Not Applicable**

### **Timber Harvest & Processing Standard**

- (1) The State standard (6 A.A.C. 80.100) and superseding provisions of the Alaska Forest Resources and Practices Act (11 A.A.C. 95.050 through 11 A.A.C. 95.180) are adopted as part of the MSBCMP supplemented by the following policies.*
- (2) Timber harvest activities shall be planned and managed so as to:*
- a. Minimize adverse environmental impacts on fish and wildlife habitat;*

- b. *Ensure the free passage of anadromous and resident fish in coastal waters, rivers, streams and lakes;*
  - c. *Minimize conflict with recreational uses and activities;*
  - d. *Minimize sedimentation, erosion and interference with drainages; and*
  - e. *Aid in the preparation of land for agricultural uses.*
- (3) *Mitigation plans for scenic value protection are required where timber harvest activities are planned and managed so as to mitigate the degradation of view shed.*
- (4) *Mitigation plans are required where timber harvest activities are planned and managed so as to protect river banks, stream banks and other shorelines from adverse visual impacts.*
- (5) *Access to sufficiently large acres of land for viable, sustained yield and long term timber management practices shall be maintained, or where appropriate, provided for.*

### **Evaluation**

**(1) Project is not for Timber Harvesting and processing.**

**G Consistent**

**G Inconsistent**

**G Not Applicable**

### **Mining & Mineral Processing Standard**

- (1) *The State standard (6 AAC 80.110) is adopted as part of the MSBCMP. The State policy requires mining and mineral processing to be consistent with all elements of this program, any State and federal regulations and also compatible with adjacent uses and activities.*
- (2) *Sand and gravel may be extracted from coastal waters, riverbeds, floodplains of rivers, and intertidal areas provided there is no significant impact on fish productivity and there is no feasible and prudent alternative to coastal extraction which will meet the public need for sand and gravel.*
- (3) *Gravel extraction sites shall be consolidated where feasible and practical.*
- (4) *Mining and mineral processing activities shall be planned and managed so as to minimize degradation of fish and wildlife habitat, air and water quality, and recreational values.*
- (5) *Reclamation plans shall be a requirement of all gravel extraction activities.*
- (6) *All gravel extraction parcels shall be subject to Borough Ordinance 74-52 which states that Borough land in parcels forty (40) acres or larger and which consist of forty (40) percent or more soil Conservation Service capability classes II and III shall be classified agricultural unless the Assembly finds that such land is unsuitable for agricultural purposes.*
- (7) *Access to viable mining and mineral processing activities within the Borough shall be maintained, or where appropriate, provided for.*

### **Evaluation**

**(1) Project is not associated with Mining and Mineral Processing.**

**G Consistent**

**G Inconsistent**

**G Not Applicable**

### **Transportation Standard**

- (1) The State standard for transportation (6 A.A.C. 80.080) is adopted as a part of the MSBCMP.*
- (2) Transportation routes shall be sited inland from the shoreline and avoid important fish and wildlife habitat areas unless no feasible or prudent alternative exists to meet the public need for the route.*
- (3) Highway, road and airport design and construction shall minimize alteration of fish and wildlife habitat, water courses, wetlands, aesthetic and recreational resources.*
- (4) Adequate provisions for maintenance of natural drainage, fish and wildlife habitat requirements and view shed protection shall be given required. View shed includes all those land surfaces that are visible from a given viewpoint.*
- (5) Design criteria and performance standards for transportation development shall be required in order to maintain a high aesthetic appeal and prevent unsightly incompatible development. Aesthetic values include scenic corridors, area, vistas, open space, parks and recreation.*

### **Evaluation**

- (1) This project is not involved in transportation route design or construction.**

G Consistent

G Inconsistent

G Not Applicable

### **Utilities Standard**

- (1) The State standard for utilities (6 A.A.C. 80.080) is adopted as a part of the MSBCMP.*
- (2) Utility corridor development shall be consolidated. In establishing corridors, adequate space shall be reserved to allow additional use where it is projected. In evaluating options for consolidation of utility corridors, each applicant shall document said options during the planning process. A documented visual impact analysis shall also be required.*
- (3) Where feasible and prudent, important fish and wildlife habitat, scenic, and recreational values shall be retained when establishing utility corridors. A documented mitigation plan for these resources shall be required.*

### **Evaluation**

- (1) This project is not involved in the design or construction of utilities.**

G Consistent

G Inconsistent

G Not Applicable

## **Agriculture Standard**

- (1) Agriculture shall be practiced in accordance with the sound soil and water conservation principles which minimize adverse impacts to air, land and water quality and maintain or enhance fish and wildlife habitat and recreational values.*

### **Evaluation**

- (1) This project is not involved in any Agriculture.**

**G Consistent**

**G Inconsistent**

**G Not Applicable**

## **Recreation Standard**

- (1) The State standard (6 A.A.C. 80.060) is adopted as a part of the MSBCMP. The standard requires districts to designate areas for recreational use. The standard also requires that high priority be given to maintaining and, where appropriate, increasing public access to coastal water.*

- (2) The following areas are designated as recreational areas:*

- a. Susitna Flats State Game Refuge;*
- b. Palmer Hay State Game Refuge;*
- c. Goose Bay State Game Refuge;*
- d. Nancy Lake Recreation Area;*
- e. Willow Creek Corridor;*
- f. Knik Arm Wetlands Area;*
- g. Jim/Swan Lakes Area;*
- h. Little Susitna River Corridor;*
- i. Iditarod Trail; and*
- j. State waysides and campgrounds.*

- (3) Priority shall be given to maintaining and, where appropriate, increasing public access to coastal waters, wetlands, river, lakes, streams and uplands for fishing, hunting, scenic viewing, and other recreational activities.*

- (4) Priority shall be given to developing and maintaining multi-use trail systems. Easements, right-of-way, and other means shall be used in acquiring and maintaining trail access during land transfers.*

- (5) Priority shall be given to the recreational development of areas having potential for high quality recreational use because of physical, biological, cultural or historical features.*

### **Evaluation**

- (1) This project is not located within the above listed Designated Recreational Areas, and is not a designated Recreational Project.**

**G Consistent**

**G Inconsistent**

**G Not Applicable**



## **Subsistence Standard**

*(1) The State standard (6 A.A.C. 80.120) is adopted as a part of the MSBCMP.*

## **Evaluation**

**(1) This project is not involved in Subsistence usage, and will not impede any Subsistence Usage.**

**G Consistent**

**G Inconsistent**

**G Not Applicable**

## **Coastal Habitats Standard**

*(1) The State standard (6 A.A.C. 80.130) is adopted as part of the MSBCMP. The following habitats are subject to coastal management standards:*

- a. Offshore areas and estuaries;*
- b. Wetlands and tide flats;*
- c. Vegetated bluffs;*
- d. Rivers, streams and lakes including all major anadromous drainages and their primary tributaries identified in Chapter 3 up to the 1000-foot elevation contour. The width of this extended coastal area is the width of the water course and 200 feet on each side measured from the ordinary high water line; and*
- e. Important upland habitat.*

*(2) Proposed uses and activities within 75 feet of the ordinary high water (OHW) line of rivers, streams and lakes that require local, State or federal authorization must be reviewed to protect water quality and fish and wildlife habitat. Water-dependent structures such as docks, piers, marinas, floatplane hangars, or boathouses, and access to such structures are allowable within 75 feet of OHW provided they are constructed and used in a way that minimizes adverse impacts to water quality and fish and wildlife habitat. Other uses and activities within 75 feet of OHW are also allowable if the proposed development will have not significant adverse impact to water quality and fish and wildlife habitat, and complies with other applicable federal, State and local requirements.*

*(3) The standards for coastal resources and habitats are those included in Appendix A, pgs. A-5 and A-6. Coastal habitats shall be managed to maintain and enhance the physical, biological and chemical characteristics which contribute to the maintenance of their integrity.*

*(4) Upland habitats shall be managed*

- a. To protect important fish and wildlife production and harvest area, surface water quality, and natural groundwater recharge area;*
- b. To maintain habitat productivity and diversity, natural drainage patterns, and vegetative cover on steep slopes and along stream banks and shorelines;*
- c. To prevent excessive runoff and erosion; and*
- d. To provide for open space, scenic and recreational values.*

*(5) Activities in wetlands shall be conducted in a manner that will maintain natural drainage patterns and wetlands productivity.*

- (6) *Mitigation techniques for activities along and in rivers, lands and streams shall include replacing stream bank vegetation where possible; creation of oil and grease separators prior to road development runoff entering rivers, lakes and streams; creation of settlement systems prior to development runoff entering stream corridors thereby decreasing sedimentation; and mitigation of any changes in stream flow regimes.*

### **Evaluation**

- (1) **The actual commercial development will be several hundred feet from the Waterline, and will have little significant effect on the shoreline.**
- (2) **The observation decks and board walks will be constructed on piles that are non-destructive, and will be installed in the winter, to avoid damage to the environment. The decking to be placed above will allow light to pass through and maintain plant live below the walking and viewing paths. This is further outlined in detail in the submitted Mitigation Plan.**
- (3) **Drainage patters will still utilize natural vegetation as a buffer for runoff and any flow prior to its entrance into Cottonwood Creek. The drainage plan and patterns have been reviewed by EPA and ADEC for this project, and are part of the COE Wetland fill permit.**

G Consistent

G Inconsistent

G Not Applicable

### **Air, Land, and Water Quality Standard**

- (1) *Notwithstanding any other provisions of this chapter, the statutes pertaining to and the regulations and procedures of the Alaska Department of Environmental Conservation with respect to the protection of air, land and water quality are incorporated in the ACMP and as administered by that agency, constitute the components of the MSBCMP with respect to those purposes.*
- (2) *Land clearing, grading, filling and alteration of natural drainage features shall be minimized. Areas cleared of vegetation and not developed shall be revegetated with native plants to deter erosion and restore pre-alteration habitat productivity within one year form time vegetation was removed.*

### **Evaluation**

- (1) **Areas to be cleared for this development have been minimized significantly since the original submission of the project. Air, water and land quality are not expected to be decreased as part of this project. The water quality is to be maintained by the use of the natural vegetation buffer between the development and the waterline, as well as the natural vegetation filter to be used to mitigate runoff water pollution prior to its entrance into Cottonwood Creek.**

G Consistent

G Inconsistent

G Not Applicable

### **Historic, Prehistoric and Archaeological Resources Standard**

- (1) The State standard (6 A.A.C. 80.150) is adopted as a part of the MSBCMP.*
- (2) All development shall meet historic preservation objectives of the District as outlined by the Historic Preservation Survey (1981) in Appendix C2, including revitalization and utilization of historic resources.*

#### **Evaluation**

- (1) This project will meet all historic preservation objectives if a site of any significance is found during development.**

**G Consistent**

**G Inconsistent**

**G Not Applicable**

### **Hazardous Area Standard**

- (1) The State standard (6 A.A.C. 80.050) is adopted as a part of the MSBCMP.*
- (2) Known geophysical hazard areas and areas of high development potential in which there is a substantial possibility that geophysical hazards may occur are:*
  - a. Kink/Matanuska River Flood plains;*
  - b. Susitna and Little Susitna River Floodplains; and*
  - c. Point Mackenzie vegetated bluffs and coastline.*
- (3) Development in areas identified above shall not be approved by the appropriate State authority or District until siting, design and construction measures for minimizing property damage and protecting against loss of life have been provided.*
- (4) Development shall typically be precluded in rapidly eroding, slide prone, or geologically unstable shorelines. Any development proposed for these areas shall be based upon a geotechnical investigation attesting to the safety of the area and specific engineering practices or structures that would alleviate or mitigate the hazard.*
- (5) Surface modification that would induce excessive erosion, undermine the support of nearby land or unnecessarily scar the landscape shall be limited.*

#### **Evaluation**

- (1) This project is not located within any of the above identified Hazard Areas.**

**G Consistent**

**G Inconsistent**

**G Not Applicable**

The above evaluation of the Standards of the Matanuska Susitna District, ACMP permit show that this project is indeed consistent with the applicable standards. Many of the standards are not applicable to this project. The standards that are applicable have minimal implication on the actual development of the project. The justification given to the ACOE regarding this project is directly applicable to this evaluation, and has been submitted previously as part of the ACMP Review.

The justification of the finding of consistency by the developer of the project is fully supported by the above information.

Please feel free to contact me if you have any questions or if I can be of further assistance.

Thank You for your time and effort.

Sincerely;                    ^Z- \_\_\_\_\_ J^~ ^^/

**Matthew J. Nardini, P.E.**

Owner/Principal Engineer  
Olympus Engineering

**October 12, 2006**



# *Olympus Engineering*

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September 15, 2006

Tom Atkinson  
State of Alaska  
Department of Natural Resources  
550 W. 7<sup>th</sup> Suite 705  
Anchorage, AK

Re: POA-2005-480-4, Wasilla Lake  
Evaluation of local and Statewide ACMP Consistency Standards

Mr. Atkinson,

This letter is to serve as the evaluation you requested of the project referenced above, with regards to the local and statewide standards for the ACMP Consistency Review. Please see the attachments for an overall explanation of the project. The attachments are part of the application material for the Army Corp of Engineers (ACOE) 404 Fill permit. That permit is also part of the overall process which this project is permitting through, including this ACMP Evaluation.

This letter will focus particularly on the ACMP Statewide Standards, as outlined in Article 2, 11AAC 112.200 through 11AAC 112.280. The sections will be explained in a line item manner, with reference to the individual section below:

### **11 AAC 112.200 – Coastal Development**

This project does not develop the lands immediately adjacent to the waterway of concern, Cottonwood Creek. The development is actually approximately 300' from the edge of the water. This standard gives high priority to uses that are economically or physically dependant on a coastal location. This project is economically dependant on the coastal location and proximity to water. The buffer of land between the creek and the development is to be used for the enjoyment of viewers of wildlife and to give the property a higher land and commercial retail value than an equivalent project which is not in proximity to a water body and wildlife viewing area. Any inland alternative will not make use of the viewing area for the development's patrons and the general public.

This alone gives this project a priority for allowing development. The project will also not limit any other use that is physically or economically dependant on the coastal location. No other uses will be affected by the development of Bruce-Shannon Creekside Park, therefore this project is in compliance with the statewide standard for **Coastal Development – 11 AAC 112.200**.

**11 AAC 112.210 – Natural Hazard Areas**

This project does not lie in an area designated by the State as a Natural Hazard. The Matanuska Susitna Borough (MSB) has identified the area as an area requiring a Flood Zone Development permit. The MSB Flood Zone Permit will be completed in accordance with MSB statutes and regulations once the approval has been given by the ACMP and the ACOE 404 Fill permit.

Measures will be taken in the design of specific projects to provide adequate protection from Hydrostatic Forces, as required by the MSB flood Zone Permit. This project also poses low risk and will be designed and approved by an Alaska Registered Engineer and Architect. This project is in compliance with the statewide standard for **Natural Hazard Areas – 11 AAC 112.210**

**11 AAC 112.220 – Coastal Access**

This project will increase the access to the public for viewing of the coastal areas and wildlife abundant in these areas. The development will not hinder or affect any existing access to the coastal water; therefore this project is consistent with this standard of the ACMP.

**11 AAC 112.230 – Energy Facilities**

This standard is not applicable to this project.

**11 AAC 112.240 – Utility Routes and Facilities**

This standard is not applicable to this project.

**11 AAC 112.250 – Timber Harves and Processing**

This standard is not applicable to this project.

**11 AAC 112.260 – Sand and Gravel Extraction**

This standard is not applicable to this project.

**11 AAC 112.270 – Subsistence**

This standard is not applicable to this project.

**11 AAC 112.280 – Transportation Routes and Facilities**

This standard is not applicable to this project.

The above line item responses to the Standards of the ACMP permit show that this project is indeed consistent with the applicable standards. Many of the standards are not applicable to this project. The standards that are applicable have minimal implication on the actual development of the project. The justification given to the ACOE regarding this project is directly applicable to this evaluation, therefore attached to this evaluation are several documents that were have been submitted to the ACOE.

The justification of the finding of consistency by the developer of the project is fully supported by the above information.

Please feel free to contact me if you have any questions or if I can be of further assistance.

Thank You for your time and effort.

Sincerely;

**Matthew J.**



**Nardini, P.E.**

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**September 15, 2006**

Owner/Principal Engineer  
Olympus Engineering

Attachments:

- 06-Trent Circle COE App Narrative
- 060522-Trent Circle COE Mitigation Plan Rev 2